

MINUTES

REGULAR MEETING OF THE MIDLAND CITY PLANNING COMMISSION
TUESDAY, AUGUST 23, 2022 AT 7:00 P.M.
COUNCIL CHAMBERS, CITY HALL, MIDLAND, MICHIGAN

1. Vice Chair Deckrow called the meeting to order at 7:00 p.m.

2. Pledge of Allegiance to the Flag

3. **Roll Call**

PRESENT: Pnacek, Fields, Deckrow, Mayville, Bain, Craig

ABSENT: McCoy, Broderick, Koehlinger

OTHER PRESENT: Jacob Kain, Director of Planning & Community Development; and five (5) others.

4. **Approval of Minutes**

Pnacek moved to approve the minutes of August 9, 2022. Mayville seconded.

Motion carried 6-0.

5. **Public Hearings**

- a. **Zoning Petition No. 641** – initiated by Matthew Rapanos to rezone property located at 3715 and 3719 N. Saginaw Road from OS Office Service to RC Regional Commercial.

Pnacek abstained from participating in the public hearing due to a potential conflict of interest and left the meeting.

Kain gave an overview of Zoning Petition No. 641.

Mayville inquired about this change to the zoning and how it would affect future Master Planning for that area.

Bain asked about the position of the parcel. It did not appear to front directly on Saginaw Road.

Kain explained that it does front on Saginaw Road; the right of way in that area is wide.

Bain also asked about the park next to this parcel and what it is intended for, being a private park, and would it be compatible with this development.

Kain explained that it's a privately owned park that is open to the public to encourage general wellness throughout the community.

Mayville asked about how the zoning map shows blue around the subject parcel.

Kain noted that the updated zoning map would show the new zoning district up to the center line of the right of way.

On behalf of the petitioner – John Morey D&M Site Surveying and Engineering – 401 Balsam Street, Carrollton, Michigan:

The entire area is in the 100 year flood plain and this property was previously a drive-thru ATM. The purpose of this request is to permit construction of a drive-thru coffee shop, as the current zoning does not permit that use. The petitioner intends to eventually construct a 480 square foot coffee shop.

There were no questions for the agent on behalf of the petitioner.

Public Comments – John Elsen, 6106 Sturgeon Creek Parkway, Midland, Michigan: Mr. Elsen feels this is an example of utilizing flood plain areas for development. He feels that historically the City has permitted too much development in the north and west sides of Midland with detrimental impacts to natural drainage.

Petitioner Rebuttal – John Morey:

Petitioner wishes to use the existing infrastructure that is there. They will not be bringing in any fill.

MINUTES

Vice Chair Deckrow closed the public hearing.

- b. **Conditional Use Permit No. 77** – initiated by The Legacy Center for Community Success for a nonprofit social service agency located at 2417 Abbott Road. Pnacek returned to the meeting.

Kain gave an overview of Conditional Use Permit No. 77.

Bain inquired about a playground near the location.

Petitioner – Kathryn Tait, CEO of the Legacy Center, 3200 James Savage Road, Ste 5, Midland, Michigan:

Tait explained that the playground is part of the Tea Grove Lounge Property.

Bain asked about hours of operation. Tait explained that business hours are 9 a.m. to 6 or 7 p.m. most evenings. They offer a lot of tutoring after school hours. They average about 10-12 pairs an hour (1 adult to 1 student) but hope to grow to no more than 20 pairs with the additional space available at the proposed location.

Mayville asked if they would be utilizing the facility as is. Tait explained that they would be changing very little on the inside of the building. They have extended the sidewalk, but will not be changing anything else on the outside.

Comments in support - none

Comments in opposition – none

Fields moved to waive the rules of procedure. Bain seconded. Motion carried 6-0.

Pnacek moved to recommend Conditional Use Permit No. 77 to City Council for approval. Fields seconded.

Yeas: Fields, Deckrow, Mayville, Bain, Pnacek, Craig

Nays: None

Absent: McCoy, Broderick, Koehlinger

Motion carried 6-0.

- 6. **Old Business** – none
- 7. **Public Comments** (unrelated to items on the agenda) – none
- 8. **New Business** – none
- 9. **Communications** – none
- 10. **Report of the Chairperson** – none
- 11. **Report of the Planning Director** – Kain addressed Mr. Elsen's comments during the public hearing for Zoning Petition #641 regarding flood plain and development and indicated that these matters will receive attention during the City Modern process.
- 12. **Items for Next Agenda – September 13, 2022**
 - a. ZP 641 - Decision
 - b. ZP 642 – 5828 & 5910 N Saginaw
 - c. ZP 643 – 7110 & 7114 N Perrine
 - d. ZP 644 – 6917 N Perrine
 - e. CUP 78 – 4310 & 4314 Stonegate Dr

MINUTES

- f. Keith Street Vacation
- g. Notice of Intent to Plan for City Modern Master Plan
- h. Planning Commission Bylaws and Rules of Procedure

13. Adjournment:

Mayville moved to adjourn. Pnacek seconded.

Motion carried 6-0.

Meeting adjourned at 7:46 p.m.

Respectfully submitted,



Jacob Kain, AICP
Director of Planning & Community Development

JIK/sab

MINUTES ARE NOT FINAL UNTIL APPROVED BY THE PLANNING COMMISSION